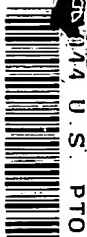


10/19/01



# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 213256

First Inventor Robert D. Swain

Title Method of Determining Wear

Express Mail Label No. EL 304646155US

## APPLICATION ELEMENTS

1. ☒ Utility Patent Application Transmittal Form
2. ☒ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification (including claims and abstract) [Total Pages 24]
4. ☒ Drawings [Total Sheets 5]
5. ☒ Combined Declaration and Power of Attorney [Total Pages 6]
  - a. ☐ Newly executed
  - b. ☒ Copy from prior application [Note Box 6 below]
    - i. ☐ Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
6. ☒ Incorporation by Reference: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference.
7. ☒ Application Data Sheet. See 37 CFR 1.76
8. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
9. Nucleotide and/or Amino Acid Sequence Submission
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper Copy
  - c. ☐ Statement verifying identity of above copies

ADDRESS TO: Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

## ACCOMPANYING APPLICATION PARTS

10. ☐ Applicant requests early publication. (include publication fee under 37 CFR 1.18(d))
11. ☒ Assignment Papers (cover sheet and document(s))
12. ☐ 37 CFR 3.73(b) Statement (when there is an Assignee)
13. ☐ Power of Attorney
14. ☐ English Translation Document (if applicable)
15. ☐ Information Disclosure Statement (IDS)
  - ☐ Form PTO-1449
  - ☐ Copies of Listed Documents
16. ☒ Preliminary Amendment
17. ☒ Return Receipt Postcard (Should be specifically itemized)
18. ☐ Claim of Priority & Certified Copy of Priority Document(s)
19. ☐ Request & Certification Under 35 USC 122(b)(2)(B)(i) (Form PTO/SB/35 or its equivalent must be submitted with this application to prevent publication at 18 months)
20. ☐ Other:

21. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below:

☒ Continuation ☐ Divisional ☐ Continuation-in-part of prior application no. 09/631632.  
Prior application information: Examiner Heitbrink, J.; Group Art Unit: 1732

## APPLICATION FEES

APPLICATION FEES				
BASIC FEE				\$710.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	41-20=	21	x \$18.00	\$378.00
Independent Claims	7- 3=	4	x \$80.00	\$320.00
<input type="checkbox"/> Multiple Dependent Claim if applicable			+ \$270.00	\$
Total of above calculations =				\$1,408.00
Reduction by 50% for filing by small entity =				\$(704.00)
<input type="checkbox"/> Assignment fee if applicable			+ \$40.00	\$ 40.00
<input type="checkbox"/> Early publication fee if applicable			+ \$300.00	\$
TOTAL =				\$744.00

Jc835 U.S. PTO  
10/027898  
10/19/01

## UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 213256

22. ☐ Please charge my Deposit Account No. 12-1216 in the amount of \$
23. ☒ A check in the amount of \$744.00 is enclosed.
24. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 12-1216:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
25. ☒ The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 12-1216 for any fee that may be due in connection with such a request for an extension of time.

## 26. CORRESPONDENCE ADDRESS

☒ Customer Number: 23460**23460**

PATENT TRADEMARK OFFICE

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(312) 616-5700 (facsimile)

Name	John M. Augustyn, Registration No. 33,589
Signature	
Date	October 19, 2001

## Certificate of Mailing Under 37 CFR 1.10

I hereby certify that this Utility Patent Application Transmittal and all accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 CFR 1.10 on the date indicated below and is addressed to: Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

		October 19, 2001
Name of Person Signing	Signature	Date

Utility (Rev. 04/26/2001)